

2013R00037/JMR/JNM/jw

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Karen M. Williams, U.S.D.J.
v.	:	Crim. No. 22-80
JENNIFER VANDEVER,	:	JUDGMENT AND ORDER
	:	OF FORFEITURE
Defendant.	:	<u>(MONEY JUDGMENT)</u>

WHEREAS, on or about September 15, 2023, defendant Jennifer Vandever, pursuant to a plea agreement with the United States, pleaded guilty to Counts One, Five, and Seven of the Indictment, which charged the defendant with using or trafficking in an unauthorized access device, in violation of 18 U.S.C. § 1029 (Count Five);

WHEREAS, a person convicted of violating 18 U.S.C. § 1029, as alleged in Count Five of the Indictment, shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(2)(B), any property, real or personal, constituting or derived from, proceeds obtained directly or indirectly as a result of such offense;

WHEREAS, in the plea agreement, the defendant consented to the entry of a criminal forfeiture money judgment in the amount of \$685,289, representing the amount of proceeds obtained directly or indirectly as a result of the offense charged in Count Five of the Indictment, pursuant to 18 U.S.C. § 982(a)(2)(B) ("Money Judgment");

WHEREAS, the defendant further agreed that one or more of the conditions set forth in 21 U.S.C. § 853(p) existed, entitling the United States to forfeit substitute assets in an amount not to exceed \$685,289; and

WHEREAS, in the plea agreement, the defendant further waived the requirements of Rules 32.2 and 43(a) of the Federal Rules of Criminal Procedure regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment; acknowledged she understood that the imposition of the Money Judgment is part of the sentence that may be imposed in this case; waived any failure by the Court to advise her of this pursuant to Rule 11(b)(1)(J) of the Federal Rules of Criminal Procedure at the guilty plea proceeding; and waived any and all claims that the forfeiture constitutes an excessive fine and agreed that the forfeiture does not violate the Eighth Amendment.

WHEREAS, in consideration of the foregoing, it is hereby ORDERED, ADJUDGED, AND DECREED THAT:

1. As a result of the offense charged in Count Five of the Indictment, to which the defendant has pleaded guilty, the Court having accepted the stipulated amount of the forfeiture in the plea agreement, and the defendant having conceded that one or more of the criteria set forth in 21 U.S.C. § 853(p) are met, the United States is entitled to forfeit proceeds and/or substitute assets equal to the value of the proceeds obtained by the defendant, which was \$685,289. A money judgment in the amount of \$685,289 ("Money Judgment")

is hereby entered against the defendant, pursuant to 18 U.S.C. § 982(a)(2)(B) and Federal Rule of Criminal Procedure 32.2(b).

2. All payments on the Money Judgment shall be made by (a) electronic funds transfer, as directed by the United States Attorney's Office; or (b) postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, District of New Jersey, Attn: Asset Forfeiture and Money Laundering Unit, 970 Broad Street, 7th Floor, Newark, New Jersey 07102, and shall indicate the defendant's name and case number on the face of the check.

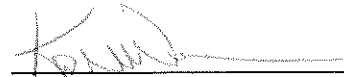
3. Pursuant to 21 U.S.C. § 853, as incorporated by 18 U.S.C. § 982(b), the United States Marshals Service is authorized to deposit all payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of property to satisfy the Money Judgment, including depositions, interrogatories, requests for production of documents, and the issuance of subpoenas.

5. The Clerk of the Court is directed to enter a money judgment against the defendant in favor of the United States in the amount of \$685,289.

6. This Court shall retain jurisdiction to enforce this Order, and to amend it as necessary.

Dated: October 24, 2024



Hon. Karen M. Williams
United States District Judge